

Message Text

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PAGE 01 STATE 211572
ORIGIN COME-00

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-----066354 211636Z /47

R 211559Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY MONTEVIDEO

UNCLAS STATE 211572

E.O. 11652:N/A

TAGS:EIND, UY

SUBJECT: TRADEMARK APPLICATION FOR HAMBURGER

1. THE DEPARTMENT OF COMMERCE MAINTAINS A PROGRAM TO PROTECT FOREIGN MARKETS FOR AMERICAN PRODUCTS AND SERVICES BY OPPOSING THE REGISTRATION BY FOREIGN GOVERNMENTS OF TRADEMARKS WHICH ARE GENERIC TERMS. IF SUCH MARKS ARE SUCCESSFULLY REGISTERED, THEY WOULD IMPEDE THE IMPORTATION OF PRODUCTS CONTAINING THE SAME WORD IN THE LABEL. FOR EXAMPLE, IF THE WORD "BEAN" WERE SUCCESSFULLY REGISTERED AS AN EXCLUSIVE TRADEMARK IN A COUNTRY, THEN ANY PRODUCT WITH "BEAN" ON THE LABEL (E.G., DEL MONTE GREEN BEANS, LIBBY BUTTER BEANS) COULD NOT BE LEGALLY SOLD IN THAT COUNTRY.

2. IN IMPLEMENTING THIS PROGRAM, COMMERCE WORKS CLOSELY WITH THE UNITED STATES TRADEMARK ASSOCIATION (USTA) AND OTHER TRADE GROUPS SINCE THESE ORGANIZATIONS THROUGH THEIR MEMBERS RECEIVE EXTENSIVE COMMERCIAL INTELLIGENCE ON UNCLASSIFIED

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PENDING TRADEMARK APPLICATIONS. THE USTA HAS INFORMED COMMERCE OF AN APPLICATION TO REGISTER THE TERM HAMBURGER RECENTLY FILED IN URUGUAY.

3. ACTION REQUESTED: EMBASSY REQUESTED TO INFORM APPROPRIATE OFFICIALS IN GOVERNMENT AGENCY RESPONSIBLE FOR TRADEMARK REGISTRATIONS OF U.S. GOVERNMENT'S OBJECTION

TO APPLICATION NO. 159700 FILED JULY 10, 1978 BY FRIGOELLO,
S.A. TO REGISTER THE WORD HAMBURGER IN CLASSES 1 AND 3
FOR FOOD PRODUCTS ON GROUNDS TERM IS GENERIC AND NOT
JUSTIFIABLY REGISTRABLE AS EXCLUSIVE TRADEMARK. OPPOSI-
TION PERIOD EXPIRES AUGUST 22, 1978. REPORT ON RESULTS
REQUESTED. CHRISTOPHER

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NNN

Message Attributes

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Capture Date: 01 jan 1994
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Current Classification: UNCLASSIFIED
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Draft Date: 21 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
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Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Litigation Codes:
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